

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: September 28, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2276 (Mr. Phil English of Pennsylvania)

**Proponent name, location:** Bayer MaterialScience LLC  
Pittsburgh, PA 15205

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

ortho/para-Toluenesulfonic acid, methyl ester (CAS Nos. 23373-38-8 and 80-48-8) (provided for in subheading 2904.10.37)

**Check one:**  Same as that in bill as introduced  
 Different from that in bill as introduced (see Technical comments section)

**Product information, including uses/applications and source(s) of imports:**

ortho/para-Toluenesulfonic acid, methyl ester is a synthetic organic chemical isomeric mixture used as an additive in the production of several products known as "trimers," each of which is a slightly different type of aliphatic isocyanate used in urethane applications such as automotive paints, architectural coatings, and other resin systems for automotive and coating applications. The proponent imports this product from India and Germany. The only competitive products for this chemical are also produced in India.

<sup>1</sup> Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3352).

<sup>2</sup> Access to an electronic copy of this memorandum is available at <http://www.usitc.gov/billrpts.htm>.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2904.10.37</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$550,000	\$600,000	\$660,000	\$725,000	\$800,000
Customs revenue loss	\$30,250	\$33,000	\$36,300	\$39,875	\$44,000

Source of estimated dutiable import data: Industry estimates and Commission estimates.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Bayer MaterialScience (proponent) Karen Niedermeyer Fax: 412-777-4740	8/15/2005	No	No	No
Albright & Wilson Susan Greenbaum Fax: 804-968-6498	8/15/2005	No	No	No
Bayer MaterialScience LLC Julie Von Egmund Fax: 202-737-8908	8/15/2005	No	No	No
Biddle Sawyer William Thonack Fax: 212-239-1089	8/15/2005	No	No	No
American Chemistry Council Jim O'Connor Fax: 703-741-6922	8/15/2005	No	No	No
Ciba Specialty Chemicals Michelle Forte Fax: 914-785-4831	8/15/2005	No	No	No
Clariant Corp. Andrew Zamoyski fax 401-823-2700	8/15/2005	No	No	No
E.I DuPont Nancy Johnson Fax: 202-728-3649	8/15/2005	No	No	No

E.I DuPont Elaine Olson Fax: 302-892-7343	8/15/2005	No	No	No
Eastman Chemical Co. Greg Riddle Fax: 703-524-7707	8/15/2005	No	No	No
Honeywell International Art Simonetti Fax: 202-662-2675	8/15/2005	No	No	No
Monsanto Linda Strachan Fax: 202-789-1867	8/15/2005	No	No	No
Monsanto Michael Parrish Fax: 202-789-1867	8/15/2005	No	No	No
Noveon Tom Dirmyer Fax: 214-415-6001	8/15/2005	No	No	No
Solutia Sue Cannon Fax: 314-674-1585	8/15/2005	No	No	No
Solutia Dan Jenkins Fax: 314-674-1585	8/15/2005	No	No	No

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the correct capitalization of the chemical name.

<sup>3</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2276

To suspend temporarily the duty on TSME.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2005

Mr. ENGLISH of Pennsylvania introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on TSME.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TSME.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of  
5 the Harmonized Tariff Schedule of the United States is  
6 amended by inserting in numerical sequence the following  
7 new heading:

“	9902.09.08	Ortho/Para Toluenesulfonic Acid Methyl Ester (TSME) (CAS Nos. 23373–38–8 and 80–48–8) (provided for in subheading 2904.10.37) .....	Free	No change	No change	On or before 12/31/2008	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of enactment of this Act.

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